

SEP 07 2005

**FAX TRANSMISSION****DATE:** September 7, 2005**PTO IDENTIFIER:** Application Number 10/522225  
Patent Number**Inventor:** Barton et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** ROPES & GRAY LLP  
David P. Halstead, Ph.D.**PHONE:** (617) 951-7615**Attorney Dkt. #:** ASZD-P01-804**PAGES (Including Cover Sheet):** 29**CONTENTS:** Request for Corrected Filing Receipt (2 pages)  
Copy of Incorrect Filing Receipt with the Changes Noted Thereon (3 pages)  
Copy of 371 Transmittal Originally Filed on 1/24/05 (2 pages)  
Copy of Preliminary Amendment Originally Filed on 1/24/05 (18 pages)  
Copy of Combined Declaration and Power of Attorney Originally Filed on 1/24/05 (3 pages)  
This Facsimile Cover Sheet (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 951-7615 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**ROPES & GRAY LLP**  
One International Place, Boston, Massachusetts 02110-2624  
Telephone: (617) 951-7000 Facsimile: (617) 951-7050

RECEIVED  
OIPE/IAP

SEP 08 2005

RECEIVED  
CENTRAL FAX CENTER

SEP 07 2005

I hereby certify that this correspondence is being facsimile transmitted to the  
Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown  
below.

Dated: September 7, 2005

Signature:

*Mary Jane D. Palma*  
(Mary Jane D. Palma)Docket No.: ASZD-P01-804  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Barton et al.

Application No.: 10/522225

Confirmation No.: 7196

Filed: January 24, 2005

Art Unit: 1645

For: KETONES

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a copy of which is attached hereto, has the following errors:

**In the Heading:**

Under "FIL FEE REC'D" delete "1710" and instead insert --2010--;

Under "TOT CLMS" delete "16" and instead insert --20--.

**In the applicant(s) section:**

In addition to Peter John Barton, Macclesfield, GBN, United Kingdom; and David Stephen Clarke, Macclesfield, GBN, United Kingdom, please add the following applicants:

Christopher Daniel Davies, Macclesfield, GBN, United Kingdom;

Rodney Brian Hargreaves, Macclesfield, GBN, United Kingdom;

Janet Elizabeth Pease, Macclesfield, GBN, United Kingdom; and

Maureen Theresa Rankine, Macclesfield, GBN, United Kingdom.

**In the title:**

Please delete "Chemical compounds" and instead insert the correct title --Ketones--.

Serial No. 10/522225

Attorney Docket No.: ASZD-P01-804

The correct Filing Fee should be \$2010.00 as show on the enclosed copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 that was filed with the application on January 24, 2005. The total claim count is 20 as shown on the enclosed copy of the Preliminary Amendment that was filed with the application on January 24, 2005. The correct applicants and title are noted on the enclosed copy of the executed Combined Declaration and Power of Attorney that was filed with the application on January 24, 2005. Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections.

Please charge our Deposit Account No. 18-1945 in the amount of \$300.00, which is the difference in the USPTO filing fee charge (\$1710.00) and the actual fee due (\$2,010.00), under Order No. ASZD-P01-804 for the from which the undersigned is authorized to draw. A duplicate copy of this paper is enclosed.

Dated: September 7, 2005

Respectfully submitted,

By 

David P. Halstead, Ph.D.

Registration No.: 44,735

ROPES &amp; GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant

RECEIVED  
CENTRAL FAX CENTER

004/029

Page 1 of 3

SEP 07 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/522,225 | 01/24/2005                | 1645     | 4710          | ASZD-P01-804    |          | 16       | 4        |

2,010.00

CONFIRMATION NO. 7196

28120  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624

## FILING RECEIPT



\*OC000000016718976\*

Date Mailed: 08/17/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Peter John Barton, Macclesfield, GBN, UNITED KINGDOM;  
David Stephen Clarke, Macclesfield, GBN, UNITED KINGDOM;  
Christopher Daniel Davies, Macclesfield, GBN, UK;  
Rodney Brian Hargreaves, Macclesfield, GBN, UK;  
Janet Elizabeth Pease, Macclesfield, GBN, UK; Maureen Theresa Rankine,

Power of Attorney: The patent practitioners associated with Customer Number 28120. Macclesfield, GBN, UK.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/GB03/03171 07/23/2003

## Foreign Applications

UNITED KINGDOM 0217433.2 07/27/2002  
UNITED KINGDOM 0230318.8 12/24/2002

Projected Publication Date: 11/17/2005

Non-Publication Request: No

Early Publication Request: No

Title

~~Chemical compounds~~  
KETONES

Ropes &amp; Gray

Symbol #: ASZD-P01-804

Action Due: RWV/FILE CORR FR

Deadline(s): Sept 17.

Ropes &amp; Gray

AUG 22 2005

Intellectual Property Dept.

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not** result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PTO-1390 (Rev. 12-2004)  
Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


|   |  |   |
|---|--|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  | ATTORNEY'S DOCKET NUMBER<br><b>ASZD-P01-804</b> |
|   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/GB2003/003171</b>   | INTERNATIONAL FILING DATE<br><b>23 July 2003</b> | PRIORITY DATE CLAIMED<br><b>27 July 2002</b>    |
| TITLE OF INVENTION <b>KETONES</b>   |  |   |
| APPLICANT(S) FOR DO/EO/US <b>Barton et al.</b>  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> |  |   |
| Items 11 to 20 below concern document(s) or information included:   |  |   |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>Return Receipt Postcard</b></li> </ol>   |  |   |

PTO-1390 (Rev. 12-2004)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |   |   |            |  |                 |
|--|---|---|------------|--|-----------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  |   | INTERNATIONAL APPLICATION NO.<br>PCT/GB2003/003171                            |            | ATTORNEY'S DOCKET NUMBER<br>ASZD-P01-804 |                 |
| 21. The following fees are submitted:  |   |   |            | Applicant Use                            | Office Use Only |
| <input checked="" type="checkbox"/>  | a) Basic national fee .....   |   |            | \$ 300.00                                |                 |
| <input checked="" type="checkbox"/>  | b) Examination fee .....  |   |            | \$ 200.00                                |                 |
| <input checked="" type="checkbox"/>  | c) Search fee .....   |   |            | \$ 500.00                                |                 |
| TOTAL OF ABOVE CALCULATIONS =  |   |   |            | \$ 1,000.00                              |                 |
| <input checked="" type="checkbox"/>  | Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |   |            |  |                 |
| Total Sheets   | Extra sheets  | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |  |                 |
| 145 - 100 =  | 45 /50 =  | 1   | x \$250.00 | 250.00                                   |                 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |   |   |            | \$                                       |                 |
| CLAIMS   | NUMBER FILED  | NUMBER EXTRA  | RATE       |  |                 |
| Total claims   | 24 - 20 =   | 4   | x 50.00    | \$ 200.00                                |                 |
| Independent claims   | 4 - 3 =   | 1   | x 200.00   | \$ 200.00                                |                 |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)  |   |   | + 360.00   | \$ 360.00                                |                 |
| TOTAL OF ABOVE CALCULATIONS =  |   |   |            | \$ 2,010.00                              |                 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |   |   |            | \$                                       |                 |
| SUBTOTAL =   |   |   |            | \$ 2,010.00                              |                 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |   |   |            | \$                                       |                 |
| TOTAL NATIONAL FEE =   |   |   |            | \$ 2,010.00                              |                 |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |   |   |            | \$ 40.00                                 |                 |
| TOTAL FEES ENCLOSED =  |   |   |            | \$ 2,050.00                              |                 |
| Amount to be refunded:   |   |   |            |  | \$              |
| Amount to be charged:  |   |   |            |  | \$              |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>18-1945</u> in the amount of \$ <u>2,050.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-1945</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Patricia Granahan, Sc.D.<br/>ROPES &amp; GRAY LLP<br/>One International Place<br/>Boston, Massachusetts 02110-2624<br/>(617) 951-7449<br/>CUSTOMER NUMBER: 28120</p> <p><br/>SIGNATURE:<br/>David P. Halstead, Ph.D.<br/>NAME<br/>44,735<br/>REGISTRATION NUMBER</p> |   |   |            |  |                 |